



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

JUN - 4 2004

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In re application of :
Jameel Menashi : DECISION ON
Serial No. 09/833,202 : PETITION
Filed: April 11, 2001 :
For: FUEL CELLS AND OTHER PRODUCTS CONTAINING MODIFIED
CARBON PRODUCTS :

This is a response to the "PETITION TO WITHDRAW HOLDING OF ABANDONMENT", filed January 27, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of December 18, 2003, for failure to timely file a proper response to the Office letter mailed on March 31, 2003 be withdrawn. The petitioner asserts that applicant timely filed a proper response to the office letter of March 31, 2003 on June 30, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicant did reply to the Office letter of March 31, 2003 in a timely manner. The submitted evidence are copies of the following documents : (1)Response to the Office letter of March 31, 2003 and cover sheet submitted by facsimile along with a Certificate of Transmission by Facsimile dated June 30, 2003; (2)An Auto-Reply Facsimile Transmission showing a copy of the response cover sheet and confirming receipt of ten(10) pages on June 30, 2003; and (3) Declaration and Power of Attorney.

Therefore, the abandonment is hereby withdrawn, and the application is returned to



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pending status. The case will be forwarded to the Technical Support Staff for entering of the Response/Declaration and Power of Attorney and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

Jacqueline Stone

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